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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,899	01/14/2004	Won-Pyo Park	678-1167 (P10780)	4765

28249 7590 09/13/2006

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EXAMINER	
RAMAKRISHNAIAH, MELUR	

ART UNIT	PAPER NUMBER
2614	

DATE MAILED: 09/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/757,899	PARK, WON-PYO	
	Examiner	Art Unit	
	Melur Ramakrishnaiah	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 June 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Makishima (JP2001-128113) in view of Obradovich et al. (US 2002/0013815A1), hereinafter Obradovich).

Regarding claim 1, Makishima discloses a method for storing data of a mobile communication terminal having a wireless access to the internet, the terminal including a camera, memory, and an image processing unit for processing images captured by the camera to generate image data, the method comprising the steps of: detecting an image data storage mode when camera starts an image capturing operation (paragraphs: 0006, 0025), determining whether to use wireless access to the internet (Drawing 1) according to image data storage mode, performing wireless access to the internet according to the determination result, and transmitting in image data generated by the image processing unit to a remotely located file storage device (16, (Drawing 1) having a memory via wireless access to the internet (Drawings 1-3, paragraphs: 0009 – 0033).

Makishima differs from claim 1 in that although he teaches transmitting image stored in memory to a remotely located file storage device (abstract), he does not

specifically teach transmitting in real time image data generated by the image processing unit to a remotely located file storage device.

However, Obradovich discloses technique for effective organization and communication of information which teaches the following: camera (460, fig. 13) capable of capturing image that can be stored locally or transmitted in real time to a remotely located file storage device (105, fig. 1; fig. 13; paragraph: 0082).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Makishima's system to provide for the following: transmitting in real time image data generated by the image processing unit to a remotely located file storage device as this arrangement would facilitate the user to store camera generated camera image locally or transmit it in real time to be stored at a remote storage device as taught by Obradovich, thus giving user options for storing real time image as desired by his needs.

Regarding claims 4-6, Makishima further teaches the following: step of storing image data transmitted from the terminal (12, Drawing 1) in a storage region of the file storage device (16, Drawing 1), the storage device corresponding to user identification value included in image data transmitted from the terminal transmitting image data includes segmenting image data into packet data of a predetermined size and transmitting image data (this step is implied as the terminal 12, Drawing 1, transmitting data to the server 16 through internet which is, as is well known, a packet based network), providing a menu for setting image data storage mode (paragraph: 0011, 0021, 0032-0033).

3. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Makishima in view of Obradovich as applied to claim 1 above, and further in view of Fukuda (US2003/0012156 A1, filed 3-7-2001).

Regarding claims 2-3, the combination teaches the following: obtaining destination IP address of the file storage device (16, Drawing 1, paragraph: 0031 of Makishima); but it does not teach the following: receiving a source IP address for internet access from a base station, user authentication of the terminal from the file storage device.

However, Fukuda discloses the following: receiving a source IP address for internet access from a PPP (paragraph: 0111), user authentication of the terminal from the file storage device (paragraph: 0109, fig. 4).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: receiving a source IP address for internet access from a base station as this arrangement would provide one of the methods, among many possible methods, of identifying source of communication to the server as taught by Fukuda; user authentication of the terminal from the file storage device as this arrangement would verify the authorized users for accessing servers in connection with data transmission as taught by Fukuda.

4. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Makishima in view of Obradovich and Fukuda.

Regarding claim 11, Makishima discloses a system fort storing image data of a mobile communication terminal including a camera for capturing an image and an

image processing unit for processing the image captured to generate image data, the system comprising: a file storage device (16, Drawing 1) including data storage section, wherein base station (14, Drawing 1) gains access to the file storage device (16) with the destination IP address information included in data transmitted from the mobile communication terminal, and transmits image data from the mobile communication terminal to the file storage device (16, Drawings: 1-3, paragraphs: 0009 –0033).

Regarding claims 11-12, Makishima does not teach the following: receiving a source IP address for internet access from a base station; and transmitting in real time image data from the mobile communication terminal to the file storage device.

However, Fukuda discloses the following: receiving a source IP address for internet access from a PPP (paragraph: 0111); and Obradovich teaches the following: camera (460, fig. 13) capable of capturing image that can be stored locally or transmitted in real time to a remotely located file storage device (102, fig. 1, fig. 13l paragraph: 0082).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Makishima's system to provide for the following; receiving a source IP address for internet access from a base station as this arrangement would provide one of the methods, among many possible methods, of identifying source of communication to the server as taught by Fukuda; and transmitting in real time image data from the mobile communication terminal to the file storage device as this arrangement would facilitate the user to store camera generated camera image locally or transmit it in real time to be stored at a remote storage device as taught by

Obradovich, thus giving user options for storing real time image as desired by his needs.

Regarding claims 12-14, Makishima further teaches the following: wireless transmission and reception section (46, Drawing 3), and a controller (40, Drawing 3), when a camera starts an image communication operation, requesting an internet transmission from base station, detecting IP address of the file storage device (16, Drawing 1) and gaining access to the IP address through wireless communication session, file storage device (16, Drawing 1) includes a data storage section in which a storage region is assigned according to user identification value of the mobile communication terminal, file storage device includes a user computer having a unique IP address (paragraphs: 0009 –0033).

5. Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Makishima in view of Obradovich as applied to claim 6 above, and further in view of Sellen et al. (US 2003/0011682, hereinafter Sellen).

The combination differs from claim 7 in that he does not teach the following: menu that includes data storage modes of an internal memory storage mode, an internet file storage server mode, and an email server storage mode.

However, Sellen discloses method of sending digital photographs which teaches the following: providing menus for user guidance and menus for providing contextual help (fig. 1, paragraphs: 0036-0042, 0055).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Makishima's system to provide for the following; menu

that includes data storage modes of an internal memory storage mode, an internet file storage server mode, and an email server storage mode as this arrangement would help facilitate user to have user interface for carrying out various operations desirable in user context as taught by Sellen.

Regarding claim 8, Makishima teaches the following: internet file storage server (16, Drawing 1) includes a user computer having a unique IP address (paragraphs:0031-0033).

Regarding claims 9-10, Makishima teaches the following: if the set image data storage mode detected is the server storage mode, temporarily storing image data, generated After the camera starts image capturing operation, in memory, detecting the amount of image data generated from the camera and determining whether the detected amount of image data is a predetermined value for internet access, if the determination result is that detected amount of image data is the predetermined value, automatically gaining wireless access to the internet and transmitting data to the remotely located file storage device (16, Drawing 1) having memory, wherein amount of image data generated from the camera is detected, and if the desired amount of image data is the predetermined value to internet access, and step includes the step of intermittently gaining wireless access to the internet (paragraphs: 0009 –0033).

The combination differs from claim 9 in that he does not teach the following: detecting email server mode.

However, Sellen teaches the following: detecting email server mode (paragraphs: 0015 – 0018).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following; detecting email server mode as this arrangement would facilitate delivering image to an intended sever for further delivery to the intended recipient as taught by Sellen.

Response to Arguments

Applicant's arguments filed 6-30-2006 have been fully considered but they are not persuasive.

Rejection of claims 1, 4-6 under 35 U.S.C 103(a) as being obvious over Makishima (JP2001-128113) in view of Obradovich et al. (US 2002/0013815A1), hereinafter Obradovich): Regarding rejection of independent claim 1, applicant argues that "Claim 1 calls for the method step of transmitting, in real time, image data generated by the image processing unit to a remote storage device. In contrast, Makishima, does not transmit image data in real time, as examiner concedes. The examiner relies on Obradovich, as allegedly teaching transmission of image data generated by the image processing unit, in real-time, to a remote file storage device with a memory. However, a very careful reading of paragraph [0082] cited by the Examiner reveals that Obradovich does not specifically teach this recitation. Instead, in Obradovich, camera transmits digital ... In other words, the images and audio data are not transmitted in real-time, but synchronized in real time". Regarding this, Obradovich clearly teaches the following: Digital camera (460, fig. 13) is also included in PCD (120, fi. 13). Camera (460, fig. 13) is capable of capturing an image that can be stored locally or transmitted to a server (105, fig. 1) for storage in a selected user profile, e.g, vacation

profile, or for transmission over Internet (170, fig. 1) to another party (first 5 lines of paragraph: 0082) which clearly reads on applicants claim limitation such as transmission of image data generated by the image processing unit, in real-time, to a remote file storage device with a memory. Since the combination of Makishima and Obradovich teach applicants claim limitations such as independent claim 1, rejection of claim 1 is maintained. Regarding rejection of claim 4, Applicant argues that "Makishima does not teach storing the image data in a storage region of the storage device corresponding to user identification value included in the transmitted image data. The examiner has not pointed to, and cannot reference this teaching anywhere in Makishima". Regarding this, Makishima teaches the following: when the remaining memory capacity for preservation of picture data is reduced to a prescribed value or smaller in a digital camera 10, a signal of a service information request is transmitted to a communication terminal 12. Then the communication terminal 12 automatically connects a line to a server 16 and acquires service contents from the server 16 and displays acquired service contents. When a user selects for example, a picture preservation service and instructs transfer of picture data in the memory for preservation to the server 16 through the communication terminal 12 ... (see SOLUTION in the front page). Makishima further teaches storing image data in the server corresponding to user identification data such as telephone number, address (paragraphs: 0011, 0033). This clearly reads on limitation of applicant's claim 4-6.

Applicants arguments regarding rejection of dependent claims 2-3 are tied independent claim 1 being allowable which is not as explained above.

Rejection of claims 11-14 under 35 U.S.C 103(a) as being obvious over Makishima in view of Obradovich and Fukuda: regarding rejection of claims, Applicant argues that "Claim 11 claims a system for storing image data that includes a base station that transmits image data in real time from the mobile communication terminal to the file storage device. Contrary to the Examiner's assertion that Obradovich discloses transmitting in real time image data from the mobile communication terminal to the file storage device, it is respectfully submitted that this feature is not taught in Obradovich. Fakuda does not cure this deficiency of Makishima and Obradovich". Regarding this, Obradovich clearly teaches the following: Digital camera (460, fig. 13) is also included in PCD (120, fi. 13). Camera (460, fig. 13) is capable of capturing an image that can be stored locally or transmitted to a server (105, fig. 1) for storage in a selected user profile, e.g, vacation profile, or for transmission over Internet (170, fig. 1) to another party (first 5 lines of paragraph: 0082) which clearly reads on applicants claim limitation such as transmission of image data generated by the image processing unit, in real-time, to a remote file storage device with a memory. Since the combination of Makishima, Obradovich and Fukuda teaches applicant's claim limitations, their rejection is maintained.

Regarding rejection of dependent claims 7-10, Applicant argues that the Examiner is incorrect for reasons stated above with regard to rejection of claims 1 and 4-6. Sellen does not cure the deficiencies of Makishima and Obradovich". Regarding this rejection and further since applicant's arguments are tied to rejection of claims 1, 4-

6, Applicant is urged to refer to explanation provided with respect to claims 1, 4-6 above.

In light of above explanation, rejection of claims 1-14 is maintained.

6. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Melur Ramakrishnaiah
Primary Examiner
Art Unit 2614